

UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA**Privacy Changes Result From Amendments to Rules**

Amendments to the Federal Rules of Bankruptcy Procedure implementing the Judicial Conference policy on privacy and access to electronic case files will take effect on **December 1, 2003**. The policy addresses the protection of individual privacy in the context of access to electronic case files. The amendments and privacy policy impact filing parties' use of "personal identifiers," the way the Court collects the debtor's Social Security number (SSN), court forms and notices, and the display of Social Security numbers in the Court's automated systems.

Below is a summary of the amendments to the rules:

- Debtor(s) must submit (not file) a **new form** captioned *Statement of Social Security Number(s)* form (B21) containing his/her full nine-digit SSN **with the petition** (F.R.B.P. 1007);
- Debtor(s) are required to include only the last four digits of their SSN on the petition (F.R.B.P. 1005); and
- The debtor's full SSN will appear on the § 341(a) notice to creditors. Although, the full SSN will be included only on the notice sent to the creditors, only the last four digits will appear on the copy of the notice placed in the case file. (F.R.B.P. 2002)

It should be noted that the privacy policy (which is not retroactive) applies to all documents filed with the Court, whether submitted by electronic means or by paper copy. **Filing parties, not the Clerk's Office**, are responsible for redacting "personal identifiers" from documents filed with the Court, including attachments. "Personal identifiers" are considered to be the following:

- **Social Security Numbers**

If an individual's Social Security number (SSN) must be included in a document, only the last four digits of that number should be used. As indicated above, the debtor is required to submit a *Statement of Social Security Number(s)* containing his/her full nine-digit SSN at the time the petition is filed. This form is not part of the public case file.

- **Financial Account Numbers**

If financial account numbers are relevant, only the last four digits of these numbers should be used.

- **Dates of Birth**

If an individual's date of birth must be included in a document, only the year should be used.

- **Names of Minor Children**

If the name of a minor child must be mentioned, only the initials of that child should be used.

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For more information, visit our web site at <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)>.

## Privacy Changes Result From Amendments to Rules

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All forms impacted by the privacy policy will be revised and made available on the Court's website at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov) prior to December 1, 2003. **The revised forms should be used for all documents filed on or after December 1, 2003.** Forms revised include the *Voluntary Petition*, *Involuntary Petition*, the *Proof of Claim*, *Notice of Available Chapters*, *Schedules D, E, and F*, *Statement of Financial Affairs*, *Chapter 13 Plan*, and the *Reaffirmation Agreement* related forms. The new *Statement of Social Security Number(s)* form (B21) will also be available on the Court's web site.

webPACER and eFile will be modified to comply with the F.R.B.P. amendments and privacy policy. webPACER will only display the last four digits of the debtor(s) SSN. The Court's eFile system will continue to capture the debtor's full SSN while ensuring it is not made visible to the public.

Additional Sources of Information		
Website	Information Available	Internet Link
Judiciary's Privacy Policy Page	Privacy Policy, Public Comments on the Policy, News Releases	<a href="http://www.privacy.uscourts.gov/">http://www.privacy.uscourts.gov/</a>
Judiciary's Federal Rulemaking Site	F.R.B.P. Amendments and Committee Notes - " <i>Strike-out</i> " Version	<a href="http://www.uscourts.gov/rules/congress-0303/BK-Redline.pdf">http://www.uscourts.gov/rules/congress-0303/BK-Redline.pdf</a>
	F.R.B.P. Amendments and Committee Notes - " <i>Clean</i> " Version	<a href="http://www.uscourts.gov/rules/congress-0303/BK-Letters.pdf">http://www.uscourts.gov/rules/congress-0303/BK-Letters.pdf</a>
	Revised Bankruptcy Rules Official Forms	<a href="http://www.uscourts.gov/rules/comment-2002/1-02BKforms.html">http://www.uscourts.gov/rules/comment-2002/1-02BKforms.html</a>

## Fees Changes Become Effective

On November 1, 2003, many Bankruptcy Court fee changes took effect as directed by the Judicial Conference. Fees for filing a petition in all bankruptcy chapters each increased by \$9; fees for filing a motion to lift stay were raised to \$150; the amendment fee increased to \$26; fees for appeals increased to \$255; certification fees increased to \$9; and the returned check charge became \$45.

The Court will reject and return fee documents or requests for service(s) that are received without the proper fees, so please take note to include the correct fee amount when submitting documents for filing or requesting service(s).

For more information about the fee increases see, the Bankruptcy Miscellaneous Fee Schedule that may be found on the judiciary's web site at <http://www.uscourts.gov/fedcourtfees/03Nov1%20Bank%20Ct%20Fee%20Schedule.pdf>. You may also find the Court's Abbreviated Fee Schedule at [http://www.cacb.uscourts.gov/cacb/information.nsf/Fee+Schedule/Fee+Schedule+Information/\\$FILE/FeeSche.PDF?Openement](http://www.cacb.uscourts.gov/cacb/information.nsf/Fee+Schedule/Fee+Schedule+Information/$FILE/FeeSche.PDF?Openement)

## eFile of Chapter 7 Petitions To Be Available For All Registered Attorneys Shortly

In the coming weeks, all registered attorneys will be able to file chapter 7 petitions for any division through the eFile system. So far during the pilot phase of the program, 168 petitions have been filed through eFile. The next enhancement to eFile will be the implementation of a pilot program for the filing of chapter 13 petitions.

The number of Relief from the Automatic Stay motions and complaints filed via eFile continues to grow. For the four-week period ending October 26, 2003, a total of 217 Relief from Stay motions were filed through eFile (24%). For the same four-week period, 184 (45%) complaints were filed through eFile.

## Chapter 7 No-Asset Cases Are Now Available Online

With increasing reliance on electronic technology to improve public service, the Court began imaging all documents filed in chapter 7 no-asset cases on **October 1, 2003**. The Court will maintain files for chapter 7 no-asset cases filed on or after October 1, 2003 in electronic format only - there will be no paper file. The Court will continue to maintain paper case files for chapter 11, chapter 12, chapter 13, and chapter 7 asset cases. Also, electronic images of all *Requests for Special Notice* filed with the Court, regardless of case chapter, are available as of October 15, 2003.

Electronic case files result in greater convenience and improved accessibility to information for the public. No longer is a trip to the Court required to view a filed document. No more waiting for files to be pulled! Case file documents can be viewed for a fee from any computer with an Internet connection using webPACER. Even if you do make a visit to the Court, you can simply use the computers in the public area (at no cost) in all divisions to view documents. Think of the savings in time and expense resulting from this advancement. This is truly a new milestone in the history of the Court!

If you are interested in subscribing to webPACER, call the PACER Service Center at (800) 676-6856 or register on-line at <http://pacer.psc.uscourts.gov/>. PACER is a service of United States Judiciary.

## Debtor Assistance Project Volunteers Recognized

On September 25, 2003, the Los Angeles County Bar Association and the Public Counsel's Debtor Assistance Project (DAP) held its annual *Pro Bono* Bankruptcy Recognition Award Presentation in the lobby of the Roybal Federal Building and Courthouse. The ceremony honored 97 pro bono attorneys for their volunteer efforts throughout the year. Three attorneys (Catherine Bauer, Marsha Galinsky, and Jeffrey Wishman) were especially recognized with the receipt of the *Honorable William J. Lasarow Award for Outstanding Service* for their outstanding volunteer efforts assisting low income debtors. DAP assisted qualified *pro se* debtors this past year in the Los Angeles and San Fernando Valley divisions.

If you would like information about volunteer opportunities with DAP or the Public Counsel, you may visit their web site at <http://www.publiccounsel.org/publications/bank.html>.

## Court Closures

The holiday season is fast approaching. Mark your calendars with the following Court holiday schedule information.

Federal Holidays	Court Open For Emergency Matters Only	Contact Information for Emergency Matters Days
Tuesday, November 11, 2003 (Veterans' Day)		Los Angeles:(213)894-8401 Riverside: (909)774-1102 Santa Ana: (714)338-5330 or (714)338-5332 Northern Division: (805)884-4885 San Fernando Valley: (818) 587-2865
Thursday, November 27, 2003 (Thanksgiving Day)	Friday, November 28, 2003	
Thursday, December 25, 2003 (Christmas Day)	Friday, December 26, 2003	
Thursday, January 1, 2004 (New Year's Day)	Friday, January 2, 2004	

The Court will be closed on the federal holidays listed above. Please note that the *eFile* system will be available to registered users during these holidays; however, the *eFile* Support Center will be closed.

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## Court Closed

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The Clerk's Office will be open for emergency matters only on the "Emergency Matters Days" listed above. Some judges may have court calendars on these dates. If you have questions about whether hearings are being held for a particular judge, please contact the appropriate Courtroom Deputy. The *eFile* Support Center will be open during regular business hours (9:00 a.m. - 4:00 p.m.) on these days. If you have an emergency petition or subsequent pleading to file, please contact the appropriate divisional office to make filing arrangements.

## Court's On-Site Copy Service Contract Awarded

JNS Copy Service was awarded the new on-site copy service contracts for all divisions of the Court. Effective October 1, 2003, the per page price is:

Division	Price Per Page
Los Angeles	\$0.08
Riverside	\$0.12
Santa Ana	\$ 0.12
Northern	\$0.20
San Fernando Valley	\$0.12

The on-site copy service is authorized to perform copy services only. All other requests, including file searches and certification of documents, should be directed to the Clerk's Office in the appropriate Division.

## Court Statistics January - October 2003 vs. 2002\*

	2003	2002	2003	% CHANGE
	JAN - OCT	TOTAL	ANNUAL ESTIMATE	02 VS 03
<b>Case Filings:</b>				
Chp.7	56,325	69,939	67,164	-4%
Chp. 11	319	484	369	-24%
Chp. 13	8,844	13,686	10,357	-24%
<b>Total</b>	<b>65,488</b>	<b>84,109</b>	<b>77,890</b>	<b>-7%</b>
<b>Complaints:</b>				
Dischargeability	1,802	2,660	2,128	-20%
Recover Money/Property	1,834	2,650	2,323	-12%
All Other	324	479	377	-21%
<b>Total</b>	<b>3,960</b>	<b>5,789</b>	<b>4,820</b>	<b>-17%</b>
<b>Motions:</b>				
Personal Propety	5,598	6,828	6,591	-3%
Real Property	5,656	8,973	6,521	-27%
Unlawful Detainer	764	1,042	900	-14%
Other RFS	426	589	506	-14%
Dismiss	8,434	10,440	10,149	-3%
Dismiss/Convert	212	287	243	-15%
Fees, Employment, Expenses	9,563	11,860	11,235	-5%
<b>Total</b>	<b>30,653</b>	<b>40,019</b>	<b>36,145</b>	<b>-10%</b>

\* Information updated through October 2003

## 20 Largest/High Profile Cases Filed in the Last 24 Months

	Debtor Name	Case Number	Date Filed	Chapter	Judge	# of Related Cases	Asset Level (000,000's)	Liability Level (000,000's)
Largest Cases (over \$100 M Assets)	Consolidated Freightways	RS02-24284	09/03/02	11	MG	5	\$1,110	\$2,211
	House2Home	SA01-19244	11/07/01	11	JB	17	\$297	\$278
	Daewoo	LA02-24411	05/16/02	11	BB		\$232	\$56
	USA SOGO INC	LA03-18660	04/18/02	7	SB		\$177	\$314
	Imperial Credit Industries Inc	LA03-28969	07/17/03	11	ES		\$169	\$291
	Vista Hospital Systems	RS03-18901	06/10/03	11	DN	2	\$142	\$132
	Sun World	RS03-11370	01/30/03	11	DN	4	\$138	\$121
High Profile Cases*	OAN Servies, Inc, A Texas Corporation	ND02-13720	12/17/02	11	RR	2	\$94	\$124
	Henry Mayo Newhall Memorial Hospital	SV01-20903	11/26/01	11	AG		\$79	\$69
	Centis Inc	SA02-15865	07/31/02	11	JB	5	\$55	\$940
	Qualpro Corporation	SA02-19719	12/18/02	11	JB	6	\$47	\$218
	Parkview Community Hospital Medical Center	RS02-14989	03/25/02	11	DN		\$43	\$54
	Kushner	LA01-44828	11/21/01	11	SB	8	\$41	\$76
	Powerlift, Inc.	LA02-28533	06/26/02	11	BB		\$37	\$71
	Granada Hills Community Hospital	SV02-20579	11/26/02	11	AG		\$35	\$32
	Strouds Acquisition Corp	LA03-23620	05/20/03	11	ER		\$27	\$36
	Lux Corporation DBA: Mr. Rags	SA03-10697	01/28/03	11	JR		\$20	\$29
	Clothestime Stores, Inc.	SA03-14555	06/13/03	11	RA		\$15	\$49
	Athletes First, LLC	SA03-14549	06/13/03	11	RA		\$11	\$50
	Iskcon TV	SV 02-12373	03/15/02	11	AG	5	\$2	\$401

\*based on a combination of Asset and Liability Levels, Number of creditors, high activity, and/or name recognition

### Court News

is published by the United States Bankruptcy Court for the Central District of California  
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